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P-1906.01

**DECLARATION FOR PATENT APPLICATION**

Below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **STENT DELIVERY AND DEPLOYMENT METHOD** the specification for which

\_\_\_\_\_ is attached hereto.

10 XX was filed on June 7, 1995 as Application Serial No. 08/478,192 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amended referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Applications**      **Priority claimed**

Number	Country	Day/Mo/Yr filed	yes	no
25	Number	Country	Day/Mo/Yr filed	yes no

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

35	<u>08/326,023</u>	<u>October 19, 1994</u>	<u>Pending</u>
	Appn. Ser. No.	Filing Date	Status
	Appn. Ser. No.	Filing Date	Status

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xx Please recognize as my attorneys in connection with the above-referenced patent application(s):

5 James E. Eakin  
Reg. No. 27,874

Janet Kaiser Castaneda  
Reg. No. 33,228

James D. Ivey  
Reg. No. 37,016

10 **THE LAW OFFICES OF JAMES E. EAKIN**  
1301 Shoreway Road, Suite 324  
Belmont, CA 94002-4106

and please send all correspondence and communications to:

Janet Kaiser Castaneda

15 I hereby declare that all statements made herein of my own knowledge  
are true and that all statements made on information and belief are believed to  
be true; and further that these statements were made with the knowledge  
that willful false statements and the like so made are punishable by fine or  
imprisonment, or both, under §1001 of Title 18 of the United States Code  
20 and that such willful false statements may jeopardize the validity of the  
application or any patent issued thereon.

Full Name of Sole or First Inventor: **BRADLEY JENDERSEE**

25 Inventor's Signature BJL Date 7-20-95

Residence: 1848 Castle Drive, Petaluma, California 94954.

Citizenship: United States

30 Post Office Address: same

Full Name of Sole or Second Inventor: **ROBERT LASHINSKI**

35 Inventor's Signature [Signature] Date 7-20-95

Residence: 409 Princess Way, Windsor, California 95492.

Citizenship: United States

40 Post Office Address: same

Full Name of Sole or Third Inventor: **MICHAEL D. BONEAU**

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Inventor's Signature



Date 7-20-95

Residence: 993-6 Asilomar Terrace, Sunnyvale, California 94086.

Citizenship: United States

10 Post Office Address: same



VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Applicant or Patentee: Bradley Jendersee, Robert Lashinski and Michael D. Boneau

Serial or Patent No.: 08/478,192 Filed or Issued: June 7, 1995

Title: STENT DELIVERY AND DEPLOYMENT METHOD

I hereby declare that I am

       the owner of the small business concern identified below:  
XX an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: APPLIED VASCULAR ENGINEERING, INC.

ADDRESS OF CONCERN: 5345 Skylane Boulevard, Santa Rosa, CA 95403

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods for the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

       the preliminary amendment filed herewith with title as listed above.  
XX the application identified above.  
       the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

XX No such person, concern, or organization exists.  
       Each such person, concern, or organization is listed below.

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

       Individual        Small Business Concern        Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: ROBERT LASHINSKI

TITLE OF PERSON SIGNING OTHER THAN OWNER: VICE PRESIDENT R&D

ADDRESS OF PERSON SIGNING: 409 Princess Way, Windsor, California 95492

SIGNATURE: [Signature] DATE: 7-20-95

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled STENT DELIVERY AND DEPLOYMENT METHOD, the specification of which [X] is attached hereto or [ ] was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a). I claim foreign priority benefits under Title 35, United States Code, section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>DATE OF FILING</u>	<u>PRIORITY</u> <u>UNDER 35 U.S.C.119</u>
<u>n.a.</u>	_____	_____	Yes [ ] No [ ]

I claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>APPL. SERIAL NO.</u>	<u>DATE OF FILING</u>
<u>n.a.</u>	_____ [ ] Patented [ ] Pending [ ] Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office therewith:

address: Larry D. Johnson (Registration Number 31,528)  
175 N. Redwood Drive, Suite 130  
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